

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

**UNIVERSITY AT BUFFALO YOUNG  
AMERICANS FOR FREEDOM, et al.,**  
*Plaintiffs,*

v.

**UNIVERSITY AT BUFFALO  
STUDENT ASSOCIATION INC., et al.,**  
*Defendants.*

**CASE NO.: 1:23-cv-00480**

**Honorable Lawrence J. Vilardo**

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF MOTION FOR  
PRELIMINARY INJUNCTION**

Plaintiffs, University at Buffalo Young Americans for Freedom, Justin Hill, Jacob Cassidy, and Amelia Slusarz, (collectively "Plaintiffs") hereby withdraw their pending Motion for Preliminary Injunction (Doc. No. 15), Memorandum in Support of Motion for Preliminary Injunction (Doc. No. 15-1), and supporting documents (Docs. No. 15-2 – 15-5). On July 5, 2023, the Student Association Defendant advised that (on July 3, 2023) it voted to revoke the primary policy from which relief was requested in the Preliminary Injunction Motion. As the primary policy from which relief was requested is no longer in place, Plaintiffs withdraw their Motion for Preliminary Injunction.

1. Plaintiffs filed their Verified Complaint on June 1, 2023.
2. On June 22, 2023, Plaintiffs notified counsel for Defendant Student Association of their intent to file a Motion for Preliminary Injunction.
3. The Motion for Preliminary Injunction, Notice of Motion, and accompanying Memorandum in Support were filed on June 26, 2023.

4. The Motion argued that UB Defendants' policy permitted the Student Association unbridled discretion to implement unconstitutional student organization recognition policies and that the Student Association used that discretion to adopt Senate Resolution 2022-2023-28 which banned some student organizations (such as Plaintiff UB Young Americans for Freedom) from being a chapter of a national organization.

5. The Motion for Preliminary Injunction sought a preliminary and permanent injunction prohibiting Defendants, their agents, officials, servants, employees, and any other persons acting on their behalf from enforcing Defendants' Student Organization Recognition Policies to the extent they were prohibited from affiliating with a national organization (*See* Doc. No. 15 at 21.).

6. On July 5, 2023, Counsel for Defendant Student Association notified the parties that the Student Association Executive Committee voted (on July 3) to repeal Senate Resolution 2022-2023-28, and Counsel for Defendant Student Association confirmed that UB Young Americans for Freedom's chapter agreement with its national chartering organization remains in effect.

7. Although the remaining policies still violate Plaintiffs' constitutional rights, Defendant Student Association's policy change appears to have obviated the need for the specific relief requested in the Motion for Preliminary injunction.

Thus, Plaintiffs hereby withdraw their Motion for Preliminary Injunction (Doc. No. 15).

Respectfully submitted this 7th day of July, 2023.

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### **CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2023, I electronically filed the foregoing using the CM/ECF system, which automatically sends an electronic notification with this filing to the following attorneys of record:

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Dated: July 7, 2023

*s/ Jonathan Caleb Dalton*

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